

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ALIANZA AMERICAS, YANET DOE, PABLO
DOE, and JESUS DOE, on behalf of themselves and
all others similarly situated,

Plaintiffs,

v.

RONALD D. DESANTIS, Governor of Florida, in
his official and personal capacities; JARED W.
PERDUE, Secretary of the Florida Department of
Transportation, in his official and personal capacities;
LAWRENCE A. KEEFE, Florida Public Safety Czar,
in his official and personal capacities; JAMES
UTHMEIER, Chief of Staff to Florida Governor, in
his official and personal capacities; STATE OF
FLORIDA; THE FLORIDA DEPARTMENT OF
TRANSPORTATION; JAMES MONTGOMERIE;
PERLA HUERTA; and VERTOL SYSTEMS
COMPANY, INC.,

Defendants.

Civil Action No.
22-11550-ADB

PLAINTIFFS' ASSENTED-TO MOTION FOR LEAVE TO FILE EXCESS PAGES

Plaintiffs Yanet Doe, Pablo Doe, and Jesus Doe (“Individual Plaintiffs”), on behalf of themselves and all others similarly situated (“Class Plaintiffs”), and Alianza Americas (“Alianza” and, together, “Plaintiffs”) move, pursuant to Local Rule 7.1(b)(4), for leave to file a memorandum of up to 35 pages in support of their forthcoming motion for leave to file a second amended complaint (the “Second Amended Complaint”). Each of the defendants against whom Plaintiffs intend to assert claims in that proposed complaint—Ronald D. DeSantis, Lawrence A. Keefe, James Uthmeier, Perla Huerta, James Montgomerie, and Vertol Systems Company, Inc.—have assented to the relief sought by this motion.

Plaintiffs request that they be permitted to file a memorandum of up to 35 pages in support of their motion to amend. Under Federal Rule of Civil Procedure 15(a)(2), Plaintiffs may file an amended complaint with written consent of the defendants or leave of court. Fed. R. Civ. P. 15(a)(2). No defendant has consented to Plaintiffs' filing of the Second Amended Complaint. Thus, Plaintiffs must move the Court for leave to amend. Rule 15(a)(2) instructs that this Court should "freely give leave when justice so requires." *Id.* As the First Circuit has explained, leave to amend therefore should be granted unless there is "undue delay, bad faith or dilatory motive on the part of the movant, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, [or] futility of amendment[.]" *Amyndas Pharms., S.A. v. Zealand Pharma A/S*, 48 F.4th 18, 36 (1st Cir. 2022) (quoting *Foman v. Davis*, 371 U.S. 178, 182 (1962)).

Plaintiffs respectfully submit that a memorandum of up to 35 pages is necessary to explain why, under this standard, leave to amend is warranted. The Second Amended Complaint asserts numerous federal and state claims brought by Individual Plaintiffs, on their own behalf and on behalf of a putative class, and by organizational plaintiff Alianza against six defendants regarding a scheme to dupe and abandon Class Plaintiffs on Martha's Vineyard for the benefit of defendant DeSantis. Given the complexity of the case and the number of claims and defendants, Plaintiffs respectfully submit that excess pages are needed to allow them to fully address the claims asserted in the Second Amended Complaint, as well as, *inter alia*, the Court's ability to exercise personal jurisdiction over each defendant in connection therewith. *See* Dkt. 112 at 17 ("The Court . . . assesses personal jurisdiction for each Defendant individually.").

Dated: July 2, 2024

Respectfully submitted,

/s/ Matthew F. Casassa

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LOCAL RULE 7.1 CERTIFICATION

I hereby certify, pursuant to Local Rule 7.1(a), that counsel for plaintiffs conferred with counsel for each of defendants Ronald D. DeSantis, Lawrence A. Keefe, James Uthmeier, James Montgomerie, Perla Huerta, and Vertol Systems Company, Inc. in a good-faith attempt to resolve or narrow the issue presented by this motion. Each defendant has assented to the relief sought by this motion to file a memorandum of up to 35 pages in support of Plaintiffs' Motion for Leave to File Second Amended Complaint.

/s/ Matthew F. Casassa

CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the Court's ECF System, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing on July 2, 2024.

/s/ Matthew F. Casassa